

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	CRIMINAL NO.	1:06-CR-0199-01
	:		1:06-CR-0199-10
v.	:		1:06-CR-0199-11
	:		1:06-CR-0199-23
JAMIE CARDENAS BORBON,	:		1:06-CR-0199-24
ANTONIO AVILA, FERNANDO	:		
BELTRAN, ELVIN DELGADO, and	:		(Judge Conner)
ROGELIO LOPEZ,	:		
	:		
Defendants	:		

ORDER

AND NOW, this 5th day of June, 2009, upon consideration of the government's motion (Doc. 1101) to sever defendant Elvin Delgado pursuant to Federal Rule of Criminal Procedure 14(a), and it appearing that Delgado "has no objection to the Government severing" his trial from that of his co-defendants, (see Doc. 1119 ¶ 3), and it further appearing that defendants Jaime Cardenas Borbon, Antonio Avila, Fernando Beltran, and Rogelio Lopez do not oppose the motion (Doc. 1101) to sever, (see Docs. 1103, 1121), and that the decision of whether or not to grant a trial severance is within the court's discretion, see United States v. Voigt, 89 F.3d 1050, 1095 (3d Cir. 1996), it is hereby ORDERED that the motion (Doc. 1101) to sever is GRANTED. A revised scheduling order for defendant Delgado shall issue by future order of court. The case shall proceed as scheduled with respect to the remaining defendants.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge